

REMARKS

1. The Examiner has maintained his objection to claims 1-17, 20-21, 24-25, 27-40, 42, 44, and 47-48 on the grounds that they are obvious in light of Beatson et al (US 5,892,824) in view of Brown (US 6,023,686). In reply, the Applicant makes the following submissions:

(a) It is clear that Brown's "bid entry form 76" illustrated in Figure 6 is an electronic form which a user fills in on their computer in order to enter a bid. In contrast, the Applicant's invention relates to a form that has printed coded data disposed on it. In order to interact with the form, a special sensing device is used. That sensing device is able to sense the printed coded data and carry out various functions.

The Applicant has proposed to amend has amended claims 1-7, 20-25, 27-35 and 44-48 in order to make it clear that the claimed invention relates to a "form including printed coded data" and a sensing device adapted to "sens[e] at least some of the printed coded data."

Brown does not disclose any forms having printed coded data thereon. Nor does it disclose any sensing device which is capable of sensing such printed coded data. Brown therefore does not disclose the claimed invention.

(b) Beatson discloses a signature capture and verification device. Column 12, lines 19 to 54 describe how the Beatson pen captures a customer's signature. Lines 35 to 43 read:

"In response to such electronic detection, signature device 64 begins to sense and capture, through electromagnetic detection techniques, the instantaneous position of pen stylus 96 throughout the time the customer is signing the paper receipt 122. Signature device 64 "samples" the position of electromagnetic coil 102 in two dimensions (x,y) through use of electromagnetic coil array 216 well below plate 72. Sampling is performed at periodic intervals during the time the customer signs his or her signature."

It is clear that the Beatson "sensing device" does not "sens[e] at least some of the [printed] coded data and generat[e] the indicating data using at least some of the sensed [printed] coded data" as claimed in claim 1. Beatson does not disclose any printed coded data on the paper receipt, nor does it disclose a sensing device designed to sense such printed coded data. Instead, the Beatson system captures a customer's signature using a fairly standard stylus and digitising tablet apparatus.

(c) In short, neither Brown nor Beatson disclose a system or method of enabling an auction seller to seek bids which uses a *"form including printed coded data"* and a sensing device adapted to *"sens[e] at least some of the printed coded data."* For these reasons the applicant submits that claims 1-17, 20-21, 24-25, 27-40, 42, 44, and 47-48 are not anticipated by these citations.

2. Furthermore, the Applicant notes that the specification contains a very detailed disclosure of at least one possible way in which the forms, printed coded data and sensing device may be implemented. The Examiner will appreciate from reading this disclosure that significant technical difficulties had to be overcome in order to produce this technology and that the Applicant's forms are much more than just an HTML bidding form, as disclosed in Brown.

3. In addition, since the context of the specification clearly shows that the claimed *"forms"* were forms with printed coded data on them, and since the Examiner was aware of the contents of the specification when conducting his search and preparing his report, the Applicant submits that no further searching is needed for the Examiner to fully consider this response.

4. In light of these arguments and amendments, the Applicant requests that the Examiner reconsider and withdraw his obviousness objection to claims 1-17, 20-21, 24-25, 27-40, 42, 44, and 47-48.

5. The Applicant further notes that the Examiner repeatedly suggests that *"Beatson et al. ('824) discloses a method of enabling an auction seller to seek bids."* This is not true. Beatson only discloses a signature capture and verification system and discloses nothing about auctions.

6. The Examiner has also argued that the "Bidder ID Number" is "coded data" within the meaning claimed. If this were true, one would expect the citations to disclose a sensing device which, when placed in an operative position relative to the form, senses at least some of the Bidder ID Number (printed coded data) and generates the indicating data (regarding the identity of the form and a position of the sensing device relative to the form) using at least some of the sensed Bidder ID Number (sensed coded data). The Examiner is invited to

show where the citations disclose a sensing device which senses the Bidder ID Number. The Examiner is also invited to point out the disclosure of how one might generate indicating data indicative of the position of the sensing device relative to the form using such a Bidder ID Number.

Furthermore, claim 3 indicates that the claimed sensing device senses its movement relative to the form using at least some of the sensed coded data. The Examiner is invited to point to disclosures in the citations that show how a sensing device might sense its movement relative to a form using a Bidder ID Number.

5. The Examiner has also suggested that *"labels are for all intents and purposes reference points."* The Applicant disagrees with this interpretation. A label is merely the name of a field and does not provide any point of reference of the form. A label is not a *"reference point"* as claimed.

6. The Applicant also disagrees with many of the other suggestions made by the Examiner in relation to the similarities between the citations and the claimed invention. The Applicant hopes that the proposed amendments to the claims assist the Examiner in seeing that the citations disclose technology that is quite distinct from that of the claimed invention and that specific responses to each of the Examiner's points are unnecessary.

CONCLUSION

It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Very respectfully,

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